IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.2954 OF 2005

Vijay Vasant Mule ..Petitioner.
Vs.
Union of India & Ors. ..
Respondents.

....

Mr. G.B. Badiger for the Petitioner.
Mr. P.S. Jetly with Ms. Ms. Aruna Pai and Mr. S.S. Sarkar for Respondent No.1.

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CORAM : KSHITIJ R. VYAS, C.J. &
DR.D.Y.CHANDRACHUD, J.

23rd t March, 2006.

P.C. :

The Petitioner while working as LC-1 (Ledger Clerk) in S. O. R. D. (Sub Office Recurring Deposit) Branch in Pune G. P. O. (General Post Office) was served with show cause notices. It appears that four enquiries were held against him. Thereafter the punishment of withholding increments came to be imposed vide orders dated 7th May, 2002, 9th May, 2002 and 21st August, 2002. According to the Petitioner, he has already approached the Appellate Authority and challenged the orders passed against him. In this Petition, the Petitioner has prayed for setting aside the

punishment issued in those three proceedings. The learned counsel appearing for the Petitioner states that against the decision of the Appellate Authority, the Petitioner has approached the Central Administrative Tribunal. In view of this statement, prayer (i) of the Petition now no more survives. In the second prayer, the Petitioner has sought a direction to the Respondents to supply the documents asked by him in his application dated 29th September, 2003. According to the learned counsel, the pending enquiry is PN/DIC/13/2003 The Petitioner in his letter dated 26th July, 2004 addressed to the Director of Postal Services demanded the following documents :

(1) OTA Register;

(2) RD ledger cards of closed accounts of Chakan SO for the month of April 1999 to July 1999;

(3) Attendance register of officials who were engaged in SORD Branch for OTA purpose.

It appears that the Enquiry Officer has already informed the Petitioner that the documents are not available with him and therefore, those documents were not given to the Petitioner. In view of this, no relief can be granted with respect to the second

prayer. The Petition stands rejected as it is at the interlocutory stage.

CHIEF JUSTICE

DR.D.Y.CHANDRACHUD, J.